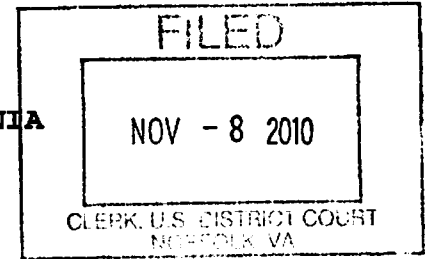


UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Newport News Division



MICHAEL A. BLIZZARD,

Plaintiff,

v.

ACTION NO. 4:10cv5

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**FINAL ORDER**

Plaintiff brought this action under 42 U.S.C. § 1383(c)(3) seeking judicial review of the decision of the Commissioner of the Social Security Administration denying his claim for a period of disability insurance benefits and supplemental security income under Title XVI of the Social Security Act.

This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Local Rules of the United States District Court for the Eastern District of Virginia, for a report and recommendation. The Report and Recommendation of the Magistrate Judge was filed on September 22, 2010, recommending that the decision of the Commissioner be upheld. By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge. The Court has received no objections to the Magistrate Judge's Report and

Recommendation, and the time for filing same has expired.

The Court hereby ADOPTS the findings and recommendations set forth in the report of the United States Magistrate Judge filed on September 22, 2010, and the decision of the Commissioner is UPHELD, Defendant's motion for summary judgment is GRANTED, Plaintiff's motion for summary judgment is DENIED, and this case is DISMISSED.

The Clerk shall forward a copy of this Final Order to counsel of record for the parties.

/s/ MSJ  
Mark S. Davis  
United States District Judge

Norfolk, Virginia

~~October~~ <sup>November</sup> 5, 2010